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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE HANKINS PLASTIC SURGERY
ASSOCIATES, P. C. dba HANKINS & SOHN
PLASTIC SURGERY ASSOCIATES

Case No.: 2:23-cv-00824-RFB-DJA

This Document Relates to: All Actions

**STIPULATION AND ORDER TO MODIFY
THE SCHEDULING ORDER DEADLINES
FOR PHASE I (PRE-CERTIFICATION) OF
DISCOVERY**

(FIRST REQUEST)

Defendant Hankins & Sohn Plastic Surgery Associates, P.C. dba Hankins & Sohn Plastic Surgery Associates (“Defendant”) by and through its counsel of record, SCHNITZER JOHNSON & WATSON, CHTD., Plaintiffs Jennifer Tausinga, Alysia Wrenn, Olga Romashova, and Caroline Aurora (collectively “Plaintiffs”) on behalf of themselves and all other similarly situated, by and through co-interim counsel of record, Jennifer A. Fornetti of The Bourassa Law Group and Nicholas A. Colella of Lynch Carpenter LLP and Plaintiffs’ steering committee, Raina Borrelli of Strauss Borrelli PLLC, Ramzy Ladah of Ladah

1 Law Firm, and additional Plaintiffs' counsel Clark Seegmiller and Jonathan B. Lee of Richard Harris Law
2 Firm, hereby stipulate to continue the discovery deadlines and submit their Stipulation and Order to
3 Modify the Scheduling Order Deadlines for Phase I (Pre-Certification) of Discovery pursuant to Local
4 Rule 26-3, as follows:

5 **I. DISCOVERY COMPLETED BY THE PARTIES**

6 1. On January 16, 2024, Plaintiffs, Jennifer Tausinga, Alysia Wrenn, and Olga Romashova
7 served their Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1).

8 2. On January 16, 2024, Plaintiffs, Jennifer Tausinga, Alysia Wrenn, and Olga Romashova
9 served their First Set of Interrogatories, First Set of Requests for Production of Documents and Things,
10 and First Request for Admissions to Defendant. Defendant served its responses to this propounded
11 discovery on March 12, 2024. Defendant subsequently served its supplemental responses to Plaintiffs'
12 First Request for Admissions on November 5, 2024.

13 3. After the Court heard Defendant's Motion to Stay Discovery or Alternatively, to Bifurcate
14 Discovery on April 9, 2024, Defendant Hankins Plastic Surgery Associates, P.C. served its Initial FRCP
15 26 List of Witnesses and Production of Documents on April 29, 2024.

16 4. On July 12, 2024, Plaintiffs, Jennifer Tausinga, Alysia Wrenn, and Olga Romashova
17 served their Second Set of Interrogatories and Second Set of Requests for Production of Documents and
18 Things to Defendant. Defendant responded to this propounded discovery on August 26, 2024, and
19 supplemented its responses on October 5, 2024.

20 5. On July 29, 2024, Defendant Hankins Plastic Surgery Associates, P.C. served its First
21 Supplemental List of Witnesses and Production of Documents Pursuant to FRCP 26 List of Witnesses and
22 Production of Documents.

23 6. On October 10, 2024, Defendant Hankins Plastic Surgery Associates, P.C. served its
24 Second Supplemental List of Witnesses and Production of Documents Pursuant to FRCP 26 List of
25 Witnesses and Production of Documents.

26 7. On November 5, 2024, Defendant Hankins Plastic Surgery Associates, P.C. served its
27 Third Supplemental List of Witnesses and Production of Documents Pursuant to FRCP 26 List of
28 Witnesses and Production of Documents.

II. DISCOVERY THAT REMAINS TO BE COMPLETED

Due to the consolidation of *Caroline Aurora, et al. v. Hankins Plastic Surgery Associates, P.C dba Hankins & Sohn Plastic Surgery Associates., et al.*, Case No. 2:23-cv-02112, after the Court entered the Amended Scheduling Order on May 5, 2024 [ECF No. 48], coupled with the fact that Plaintiffs' Motion for Leave to File Second Amended Consolidated Class Action Complaint and to File a Portion of an Exhibit Under Seal Pursuant to LR IA 10-5(A) [ECF No. 63] is currently pending before the Court, the parties request that discovery be continued to allow all the parties to conduct Phase I discovery focused on information necessary for Plaintiffs' motion for class certification, including the "commonality, predominance, and typicality as it relates to Plaintiffs and [the] putative class members." "[W]hile discovery of certification issues during Phase I may overlap with issues related to the merits in Phase II, the parties agreed to limit their discovery in each Phase to the particular aims and subject matter of each respective Phase." ECF No. 48 at 4-5 (citing *Tyus v. Wendy's of Las Vegas, Inc.*, No. 214CV00729GMNVCF, 2017 WL 3026403, at *5 (D. Nev. July 17, 2017)). To that end, the Parties intend to conduct additional written discovery, request and produce documents, and depositions.

As a result of these depositions, written responses, and document production, the parties may decide to retain experts, which will result in the need for the experts to create reports and potentially be deposed. Pursuant to Local Rule 1-1, the parties desire to do so in a cost-efficient manner and with the Court's goal of limiting and phasing discovery.

III. REASONS WHY THE REMAINING DISCOVERY CANNOT BE COMPLETED WITHIN THE TIME LIMIT OF THE EXISTING DEADLINE

Due to the consolidation of *Caroline Aurora, et al. v. Hankins Plastic Surgery Associates, P.C dba Hankins & Sohn Plastic Surgery Associates., et al.*, Case No. 2:23-cv-02112 after the Court entered the May 5, 2024 [ECF No. 48], coupled with the fact that Plaintiffs' Motion for Leave to File Second Amended Consolidated Class Action Complaint and to File a Portion of an Exhibit Under Seal Pursuant to LR IA 10-5(A) [ECF No. 63] is currently pending before the Court, the parties have been unable to conduct discovery within the existing timeline. Specifically, Plaintiffs' proposed Second Amended Complaint adds another proposed class Plaintiff, Sarah Jefferson. In addition, new counsel will be associated to represent Hankins & Sohn in this case.

As a result, the parties intend to conduct discovery in an efficient manner across the five (5) other lawsuits filed against Hankins & Sohn to the fullest extent possible. As the Motion for Leave is pending before the Court, the parties have shown good cause and excusable neglect with this request pursuant to LR 26-3. *See Bateman v. U.S. Postal Serv.*, 231 F.3d 1220, 1223 (9th Cir. 2000).

IV. PROPOSED SCHEDULE FOR COMPLETION OF PHASE I DISCOVERY

Based on the foregoing, the parties hereby stipulate and agree that the following scheduling deadlines be substituted for the deadlines contained in the Amended Scheduling Order:

Event	Date
Interim Fact Discovery Cut-Off Date	March 14, 2025
Close of Class Certification Expert Discovery	April 17, 2025
Phase I (Pre-Certification) Discovery Cut-Off Date	July 16, 2025
Amending Pleadings and Adding Parties	March 14, 2025
Initial Class Certification Expert Designations	April 17, 2025
Rebuttal Class Certification Expert Designations	May 16, 2025
Motion for Class Certification	July 16, 2025
Motions to Exclude Certification Experts	August 18, 2025
Deadline to Participate in Mediation	August 25, 2025
Joint Proposed Discovery Plan Regarding Post-Certification Phase	Within 30 days of the Decision on Motion for Class Certification

IT IS SO STIPULATED.

DATED this 8th day of November, 2024

DATED this 8th day of November, 2024

THE BOURASSA LAW GROUP

SCHNITZER JOHNSON & WATSON, CTD.

By: /s/ Jennifer A. Fornetti

By: /s/ L. Renee Green

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: 11/13/2024